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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 10/616,881      | 07/10/2003  | Anthony Gus Aipperspach | AUS920020713US1     | 2638             |

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Dallas, TX 75202

12/05/2005

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| EXAMINER |
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DO, THUAN V

|          |              |
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| ART UNIT | PAPER NUMBER |
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2825

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                                    |  |
|------------------------------|-------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/616,881 | Applicant(s)<br>AIPPERSPACH ET AL. |  |
|                              | Examiner<br>Thuan Do          | Art Unit<br>2825                   |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 22-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. <u>11/28/2005</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____.  |

## DETAILED ACTION

1. This final office action is responsive to amendment entered on 09/30/2005. Claims 22-41 are pending in this office action. Claims 1-21 have been canceled.

### *Claim objections*

Claims 22 and 25, the terms:

“extending between a start and an end”; (examiner cannot find this term)

“starting production”, “ending production”; (examiner cannot find these terms)

“responsive to the start of the input pulse”; (the word “responsive” cannot be found in the specification)

“a width of the output pulse is substantially equal to the maximum pulse width”; (the word “equal” cannot be found, therefore the term is undefined)

are not clearly defined in the specification.

Claim 23, the term “ending production of the output pulse responsive to the end of the input pulse”. (examiner cannot find “ending production” within the term)

Claim 24, the term “a time delay element”. (the phrase “a time delay element” cannot be found in the specification)

Claim 29, the terms:

“a first logic unit”; (there are many first logic such as “first NOT logic”, “first OR logic” but the “a first logic unit” cannot be found)

“a second logic unit”; (similar reasons to “a first logic unit”)

“a time delay element adapted to receive the second signal and configured to produce the first signal dependent upon the second signal and a delay time of the time delay element”; (the phrase “a time delay element” within this term function cannot be found in the specification)

“an output pulse triggered by the input pulse”; (the word “triggered” cannot be found in the specification)

are not clearly defined in the specification.

Claim 36, the terms:

“one time delay element”; (the word “one time delay” cannot be found in the specification)

“either a first or a second signal”; (the word “either” in a first or a second signal cannot be found in the specification)

“configured to logically OR the first and second signals”; (this term cannot be found in the specification)

“a pair of cross-coupled NAND gates”; (this term cannot be found in the specification)

“an output pulse triggered by the input pulse”; (the word “triggered” in a first or a second signal cannot be found in the specification)  
are not clearly defined in the specification.

The remaining dependent claims containing similar problem need to be corrected.

### **Claim Rejections - 35 USC 11 2**

The following is a quotation of the second paragraph 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 22-41 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Since the multiple problems under 35 U.S.C. 112, second paragraph, examiner cannot make a solid search for the application therefore 112 rejection is pointed out in the above section.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

#### **CONTACT INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan Do whose telephone number is 571-272-1891. The examiner can normally be reached on Monday-Friday 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 571-272-1907. The fax phone numbers for proceeding this application is 571 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0596.



Thuan Do  
Primary examiner  
11/29/2005